

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3  
4 United States of America,  
5 Respondent/Plaintiff  
6 v.  
7 William Bonaparte,  
8 Petitioner/Defendant  
9

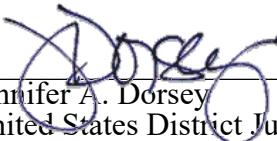
2:12-cr-00132-JAD-CWH-2

**Order Directing Response**

10 On December 14, 2016, petitioner William Bonaparte filed a § 2254 motion to vacate his  
11 §924(c) conviction and sentence, arguing that they are no longer valid in light of the United States  
12 Supreme Court's decision in *Johnson v. United States*,<sup>1</sup> in which the Court held that the ACCA's  
13 residual clause is unconstitutionally vague.<sup>2</sup> Rule 4 of the Rules Governing Section 2255 Cases in  
14 the United States District Courts directs me to promptly examine § 2255 motions and, unless it  
15 plainly appears that the movant is not entitled to relief, direct the government to file a response.  
16 Having reviewed Bonaparte's motion and the record in this case under this standard, I find that a  
17 response is warranted.

18 **IT IS HEREBY ORDERED that the government must file a response to Bonaparte's  
19 motion [ECF No. 198] by February 19, 2017.** Bonaparte will have 30 days from service of the  
20 government's response to file a reply.

21 Dated this 4th day of January, 2017.

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23 Jennifer A. Dorsey  
United States District Judge

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28 <sup>1</sup> *Johnson v. United States*, 135 S. Ct. 2551 (2015).

<sup>2</sup> ECF No. 198.